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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

UNITED STATES OF AMERICA,	)	CR. NO. 05-00189-01 DAE
	)	
Plaintiff,	)	EX PARTE MOTION SHORTENING
)	)	TIME ON NOTICE OF HEARING OF
vs.	)	MOTION; DECLARATION OF
	)	COUNSEL; ORDER GRANTING EX
KEITH SEICHI IMAI, (01)	)	PARTE MOTION
	)	
Defendant.	)	
_____	)	

**EX PARTE MOTION SHORTENING TIME ON**  
**NOTICE OF HEARING ON MOTION**

The United States of America, by and through its undersigned counsel, hereby moves, ex parte, for an Order from this Court which shortens the time on notice of hearing on its "Motion to Continue Trial Date" (hereinafter referred to as "Motion to Continue"), lodged concurrently herein.

This motion is based upon the appended Declaration of Counsel and the Record and files herein. For the reasons set forth in the Declaration, it is requested that this Motion to Continue be heard by this Court as expeditiously as possible.

DATED: Honolulu, Hawai'i, October 20, 2006.

EDWARD H. KUBO, JR.  
United States Attorney

By /s/ Chris A. Thomas  
CHRIS A. THOMAS  
Assistant U.S. Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00189-01 DAE
	)	
Plaintiff,	)	DECLARATION OF COUNSEL
	)	
VS.	)	
	)	
KEITH SEICHI IMAI, (01)	)	
	)	
Defendant.	)	
_____	)	

**DECLARATION OF COUNSEL**

CHRIS A. THOMAS, upon penalty of perjury, declares and states as follows:

1. I am Government counsel of record in the above-captioned criminal case.

2. That the above-referenced case is currently set for trial on October 31, 2006.

3. A trial is currently ongoing before the Honorable David Alan Ezra in United States vs. Michael Furukawa, et al., Cr. No. 04-00243 DAE.

4. A communication with the courtroom deputy, in the presence of Defendant's counsel, Myles Breiner, on October 17, 2006, indicated that the above-listed case currently in trial was highly probable to continue into the starting date of the instant case. A date of November 21, 2006 was discussed with counsel as the next available date for trial.

5. The government has several witnesses attending from the mainland and the Big Island of Hawai'i, based on that representation, travel arrangements were rescheduled in order to coordinate travel for the next available date of November 21, 2006.

6. Counsel for the government was informed on November 17, 2006, by counsel for Defendant that the trial date would not be continued by agreement.

7. In order to confirm the next available date for trial the government respectfully requests that the trial in this case be continued to November 21, 2006, based on the availability of the Court.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED: Honolulu, Hawai'i, October 20, 2006.

/s/ Chris A. Thomas  
CHRIS A. THOMAS

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

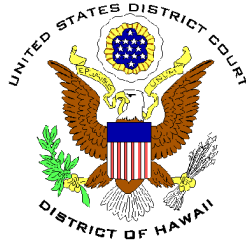
UNITED STATES OF AMERICA,	)	CR. NO. 05-00189-01 DAE
	)	
Plaintiff,	)	ORDER GRANTING EX PARTE
	)	MOTION
VS.	)	
	)	
KEITH SEICHI IMAI, (01) )	)	
	)	
Defendant.	)	
_____	)	

**ORDER GRANTING EX PARTE MOTION**

The United States of America, having moved ex parte for the issuance of an order shortening time on notice of hearing on its "Motion to Continue Trial", and good cause appearing therefor,

IT IS HEREBY ORDERED that this ex parte motion is granted. The United States' Motion to Continue Trial Date will be heard by the Honorable Leslie E. Kobayashi, on October 30, 2006, at 10:30 a.m., or as soon thereafter as counsel may be heard.

DATED: Honolulu, Hawai`i, October 24, 2006.



/S/ Leslie E. Kobayashi  
Leslie E. Kobayashi  
United States Magistrate Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the dates and by the methods of service noted below, the true and correct copy of the foregoing was served on the following at their last known address:

Served electronically through CM/ECF:

Myles Breiner, Esq.                      October 20, 2006  
[mbreiner@hawaii.rr.com](mailto:mbreiner@hawaii.rr.com)

Attorney for Defendant  
KEITH SEICHI IMAI

DATED: HONOLULU, HAWAI`I: October 20, 2006.

/s/ Janice Tsumoto